

The budget is complex, but the choice is very simple: If we want to create jobs, the Senate simply cannot pass the plan the tea party has already pushed through the House. We want to responsibly make the cuts we all agree we have to make. The Senate should pass the Democrats' proposal to bring down the deficit and keep our economy moving in the right direction.

If we want to realistically get something done before it is too late, the House and the Senate Democrats and Republicans should return to the negotiating table where we know a good compromise on common ground awaits us. The country is waiting too. Time is not on our side.

Mr. President, would the Chair announce morning business.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Alabama is recognized.

#### GOVERNMENT SPENDING

Mr. SESSIONS. Mr. President, I don't think a 6-percent reduction in spending that is proposed by the House is going to cause the U.S. Government to sink into the ocean. States are making far more serious reductions in spending than that.

The language the majority leader is using seemed to me like the language of 1994—reckless Republican spending cuts, poor people thrown to the street, and that sort of thing. But what happened in 1994? The American people, through their newly elected Congress, balanced the budget in 4 years. They balanced the budget when people said it could not be done. They said the spending reductions were going to destroy America's growth and prosperity and everything else they could imagine. But it didn't happen. It helped create a period of outstanding growth.

Tuesday, we are told, we will have a key vote. It is a very important vote. It deals with the level of spending in which this country is going to participate. It is going to make a national decision that is important. We passed a 2-week continuing resolution that reduced spending by \$4 billion over that period, keeping us on track to meet the House-passed goal of a \$61 billion reduction in spending this fiscal year. It was a good, small, first step. But the big step will be coming up, I suppose, a week from this Friday when the CR that we passed will expire and we have

to pass another one. At what level will we pass it? That is the question that will be before us.

Will we continue the trend of reduced spending that the House started us on and that the American people started us on by the election last November, just months ago, or do we continue business as usual—continue to be in denial and say no more, no mas, we can't do anymore, we give up.

Well, a vote for the Democratic plan that will be presented tomorrow will be a vote to do nothing. That is a fact. It will be a vote to say we are still in denial. It will be a vote that says deficits don't matter, we can just continue to spend, just continue to invest, and it will all get better in the end. It is a vote for more investment and more spending.

Indeed, the Budget Committee, on which I am the ranking Republican, had testimony last week from the Department of Education. They are asking for an 11-percent increase, when the inflation rate is 2. The Department of Energy asked for a 9.5-percent increase. Amazingly, the Department of Transportation came in with a 62-percent increase in spending.

Is this the way to bring this country under control? Is that what the American people expected when they voted in the last election and sent us a new House of Representatives and new Senators? I don't think so. It will be another vote for fear that we can't reduce spending because the Nation will sink into the ocean. I don't think so, and the American people don't think so in the cities, counties, and States that are facing these same situations and making tough decisions and being successful at it.

The decision we make on spending could well determine the fate of our Nation and our economy. It is that important; it really is. Forty percent of every dollar we spend today is borrowed. We will spend, this fiscal year, \$3.5 trillion, but we only take in \$2.2 trillion. Did you know that? Congress knows that. They are in some denial, but that is a fact. It is indisputable, and it is in the President's budget.

Over the next 10 years, pursuant to the budget—the plan the President gave us—interest on the debt will go from \$200 billion last year to \$844 billion in 1 year. We will double the entire national debt, the gross debt, from \$13 trillion to \$26 trillion. They claim they are saving \$1 trillion. I guess it would have gone to \$27 trillion. How can we save \$1 trillion when the deficit is going up every year? The lowest single year of deficit is \$600 billion. The highest single deficit year President Bush had—which was too high—was \$450 billion. The lowest they will have is \$600 billion, according to the President's own numbers, which he sent to us. This is not an acceptable path.

We are on the wrong road. This is a road to decline. It is the road to dependence upon foreign sources of money to finance our spending spree. It

is not the road to prosperity and growth. We simply have to make tough choices. We have to make this government leaner and more productive.

We need to create growth and prosperity. The growth and prosperity have to be in the private sector. That is who pays the taxes, which allows us to continue to have a healthy government. A failure to act at this point in history, after all of the discussion we have had in the debt commission—and several have met and all have called for substantial reductions in spending. But Congress doesn't get it. This is demoralizing for our people, for our government, for investors in the United States, for businesses sitting on capital and thinking about what the future will be like, whether this is not going to be a sound economy any longer or is the Government of the United States incapable of altering its trajectory. They thought perhaps this election was that way.

Well, the House has sent a clear message. Some think it could have gone further. It proposed a \$61 billion reduction in discretionary spending accounts. That is a 6-percent reduction. We have already gotten 4 off that, so it would be \$57 billion. When we take these numbers—and I hope we will think about this—when we reduce the baseline by \$61 billion for spending in discretionary accounts, that is far larger than some people think.

One of the things that got us in trouble is the geometrical problem of increasing spending—when we increase spending at 7 percent a year, for example, for 10 years, we double the size of government just like your bank account doubles at 7 percent interest compounded.

In reducing spending, the same thing occurs. A \$61 billion reduction in the baseline, if there were no more reductions over 10 years built into the baseline, will result in about \$850 billion in savings. In 10 years, that is almost \$1 trillion. That is with just a \$61 billion cut. It does make a difference, and it is significant.

But President Obama's plan and the Senate Democratic plan do almost nothing. He proposes, as I understand it, a \$6 billion cut for the rest of the fiscal year. That is just about a one-half of 1 percent reduction in spending. The Senate Democratic plan, it appears to me, is a \$4 billion reduction, which is less than a one-half of 1 percent reduction in spending this year.

Those are fake cuts; they are not real cuts. This is Washington talk. This is why this country is virtually broke. The President says he proposed a budget to the Congress—as the law requires him to do—and that budget would cause us to live within our means and to begin paying down the debt. That is what he said, and that is what his Budget Director said in testimony before the committee.

What planet are they on? The lowest single annual deficit—and if anybody on this floor wants to dispute this, I

would like to hear it. The lowest single annual deficit is over \$600 billion in the 10-year plan. They are going up in the outyears to almost \$900 billion in the tenth year of the 10-year plan.

That is why experts tell us this is an unsustainable course. I wish we weren't in this fix. I will have to take some of the blame too. I voted against a lot of spending programs, but I have supported some, and we have gotten ourselves into a fix. It will be hard to get out of it. It is not impossible, but we have to take some action. It cannot be business as usual. But that is what the majority leader is proposing to do—nothing. Let the interest on our debt go from \$200 billion a year to \$844 billion.

Where is that money going to come from? The education budget is \$60 billion, the highway budget is \$40 billion—\$844 billion on interest? What is it going to crowd out that we would like to spend government money on? What if we have a debt crisis? Interest rates are at 3.5 percent, but a lot of people think this interest rate is not so stable. A lot of people are afraid we could have a national or even international debt crisis. Interest rates could surge.

When I bought my first house, the interest rates were double digits. I think it was 11.5 percent. Do you think we could not have that happen? Instead of \$844 billion in interest, could we have \$1½ trillion in interest in 10 years, crowding out all kinds of other spending? This is irresponsible. This is an irresponsible course. Everybody knows it. We can't borrow our way out of debt.

So what is going to happen? Let's pull back the curtain and talk about what the plans are. It is pretty clear if we look at it and have been around this town a little bit. The Democratic leader didn't want to have any debate. He accepted the \$4 billion reduction over the 2-week period last week. That was done and nobody talked about it much. The American people assumed things were rolling along pretty well, that at least we avoided a government shutdown and things are moving along pretty well.

So now we are going to have another quick vote tomorrow—that was decided, apparently, today—on two plans: the House plan on a 6-percent reduction and a Democratic plan with basically no reduction. Then neither one will pass.

A week from this Friday, the 2-week CR will expire, and we will be heading toward a government shutdown. Secret negotiations will begin; they will start talking. Maybe the Vice President will get in there and talk a little bit, and they will move around, and special interests will be involved. The American people will not be in on the discussion. They probably will not invite me in on the discussion. I don't know who all will be there, but they will begin to negotiate and talk, and they will be seeking some toothless compromise. There

will be warnings and crocodile tears will be shed and they will say we can't have a government shutdown. We have had a half dozen for short periods of time, but we certainly don't want one.

That is the way they will talk about it—we just can't cut anymore; it is going to end—schools will close, health care programs are going to close. We have heard it all before. Every State, city, and county that goes through this has the same political rhetoric out there. We can't do it. It just won't happen.

Then they are going to expect, I guess, the Republicans to cave, and the plan, of course, as it has been from the beginning, is business as usual. Business as usual. Politicians win again. People lose. Elections nullified. Business as usual.

I do not think so. Business as usual has put us on the road to bankruptcy. The voters did speak. There is a moral responsibility of this Congress to respond to the legitimate cries of the American people. Do we not have that responsibility? I know one Senator who told me that during that election, every single ad they ran talked about reducing spending and this Senator won by a margin far more than anyone predicted. There is no doubt the American people expect us to reduce spending. They know there will be some people who will not get as much money as they were getting before, but they know we are spending too much. That is so commonsensical.

A vote for the Democratic proposal truly would be a vote for the status quo. It would be a victory for the status quo. It would be seen clearly as a victory for the big spenders. It will be a continuation of the unsustainable fiscal path we are on—the path to decline, the path to dependence, debt dependence.

The whole world is watching, just as we watched the British. They stepped to the plate and made cuts. The Germans have criticized the United States for excessive spending. The European Union has criticized the United States for our excessive spending. Canada has done a lot better than the United States in containing spending. The world is watching: What is the United States going to do? Is it going to get its house in order as the other developed nations are working to do? Have they made a national decision to reform their unsustainable actions?

Some say these \$61 billion in cuts would hurt growth. I contend that absolutely is not so. In terms of total government spending, we spend \$3,500 billion. A \$60 billion reduction in that spending total is not going to throw this economy into a recession. Indeed, it would send a message to the financial world that the American people have gotten it, that the Congress has gotten it, and they are at least beginning to end the unsustainable trajectory this government is on.

The idea that we can borrow money, pay interest on it, and create jobs has

not worked. If it were such a good idea, why don't we borrow three times as much and spread around three times as much money? It is not an economically sustainable theory. It will not work, and it has not worked.

We are facing a huge national decision. I believe many of my Democratic colleagues get it. They tell me they do. Many of them have said so publicly. But talk is not enough. Action will be needed. We will begin to take action tomorrow when we cast this vote. Party loyalty is fine. We all have to try to work with our leadership. Nobody complains about that, to a degree, but we are not to be lemmings. We do have a duty to our constituents, our country, and our future to make some tough decisions.

For example, I will share one more thought and I will wrap up. I see my colleague, Senator ROBERTS, an able Senator from Kansas, is here. Do not think we are cutting spending, this 6-percent reduction, from some tight baseline of spending, such as may be so in your State, your city or your county. In the last 2 years, nondefense discretionary spending has increased 23 percent, and that does not count the stimulus package money, the \$850 billion, the largest expenditure ever in the history of this Republic or any other nation in the history of the world. That is on top of the 23 percent in spending.

For example, the EPA, in 2 years, received a 36-percent increase in baseline spending. They cannot take a 6-percent reduction? Plus, they got a 70-percent increase from the stimulus package, a \$7 billion infusion on top of their \$10 billion budget.

What about the State Department? They got a 132-percent increase in spending in the last 2 years, plus \$1 billion from the stimulus package.

The Education Department asked for an 11-percent increase this year. They received an 11-percent increase previously and—hold your hat—their budget is about \$63 billion now. They got \$97 billion out of the stimulus package—more than their whole budget.

We borrow 40 cents out of every \$1 we spend. Our debt will soon outgrow our economy. Interest on the debt, under the President's budget, will rise to \$844 billion a year. The question is not whether we are headed for a crisis but whether we have time to act to prevent it.

Our character is tested by how we respond in times of great challenge. This week, the Senate faces such a test: How do we respond to the growing fiscal crisis facing our Nation that every expert, including the debt commission, has told us is real? This is a defining vote in the career of every Senator and a defining vote for the Senate. A one-half percent proposed reduction in spending by this administration is not anything. It is basically doing nothing.

We need every group, every concerned citizen to reach out to Congress,

to tell Congress to get off this road to fiscal calamity. To every fellow Senator, I say now is the time to stand and be counted. Are my colleagues going to be the vote that helped us turn back from the fiscal cliff or the vote that pushed the economy that much further toward the edge?

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I understand we are in morning business and that I am recognized for 10 minutes. I ask unanimous consent that I be recognized for 15 minutes. I will try to make it short. If it goes on any longer, I will ask unanimous consent for additional time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I congratulate the Senator from Alabama for laying out exactly what we face when we have a vote tomorrow in regard to the future of the United States and whether we restore common sense to Federal spending and prevent the chaotic situation he so aptly described, not only in terms of our immediate future but for our children and our grandchildren.

That says it all in regard to we had a townhall meeting—Senator JERRY MORAN, Congressman KEVIN YODER, and myself in Johnson County, KS. In that meeting, the first question out—it was 100 to 250 people who were so excited: When are you going to get control of this spending? They worry not just about themselves but their kids and grandkids.

As usual, we are going to have to dub the Senator from Alabama the watchdog of the Senate, but he so eloquently described what we face. I thank him for it.

#### ENERGY REGULATIONS

Mr. ROBERTS. Mr. President, I rise to speak out against what I consider to be a regulatory assault on our Nation's energy sector. That is pretty strong language, but I intend it to be.

I listed a number of these proposed regulations in a letter I sent earlier today to President Obama. I ask unanimous consent to have this letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,  
Washington, DC, March 7, 2011.

President BARACK OBAMA,  
The White House,  
Washington, DC.

DEAR PRESIDENT OBAMA: I write you today to express my sincere appreciation for your recently implemented Executive Order mandating that all federal agencies review and revoke any rules or regulations that place unreasonable burdens on our nation's business community. In light of our current economic crisis, establishing a regulatory environment that promotes growth and job creation should be the number one priority for this Congress and Administration.

Many people today believe no agency over the past few years has had more of a negative impact on business growth and regulatory certainty than the Environmental Protection Agency (EPA). Since fiscal year 2010, ten new regulations promulgated by the EPA have accounted for over 23 billion dollars in new costs to the American taxpayer. As your Administration reviews both proposed and promulgated regulations, please consider the following five regulations and the negative economic impact their full implementation will have on our nation:

EPA's proposal to amend the current primary 8 hour ozone standard to a range of 60 to 70 parts per billion. The EPA itself has estimated that this new regulation would cost between 19 and 90 billion dollars to fully implement, while providing no rationale as to what new scientific data justifies updating a standard set as recently as 2008.

The EPA and National Highway Traffic Safety Administration's decision to mandate greater fuel economy and emissions standards for all passenger vehicles and light-duty trucks. Recent analysis has estimated this new regulation will cost the already struggling automobile industry upwards of 10.8 billion dollars to comply, and consumers up to 985 dollars per vehicle in higher purchase prices.

The EPA's regulation restricting green house gas emissions from stationary sources. While this regulation currently only affects those stationary sources emitting 75,000 or more tons of carbon per year, future implementations of this rule could negatively impact millions of small businesses and community organizations with costs of over 75 billion dollars a year.

The EPA's recently promulgated Reciprocating Internal Combustion Engines (RICE) regulation that requires operators of current diesel or dual fuel engines (those operating on a mix of diesel fuel and natural gas) to install new oxidation catalysts on existing engines. This regulation has already had a profound impact on municipal electric utilities, rural electric cooperatives and agricultural irrigators in Kansas. Costing an estimated \$60,000 to \$100,000 per engine, this regulation is particularly difficult for small rural Kansas communities that may only operate these engines a few hours every year for emergency situations or extreme weather conditions.

As EPA officials prepare to release a final ruling on regulation of coal combustion by-products (CCB), I highly recommend avoiding any classification of this product as a hazardous waste. Classification of this by-product as a hazardous waste will restrict further beneficial reuse of CCBs and without any corresponding benefit to the environment.

Again, thank you for the opportunity to share my recommendations on what rules and regulations pose serious negative consequences to the growth of our nation. As the 112th Congress gets under way, I will continue to identify to your administration regulations that handicap American businesses and halt American job creation. It is my hope that we can create a regulatory environment that provides American businesses with the necessary tools to hire and thrive in this global market.

Sincerely,

PAT ROBERTS,  
U.S. Senator.

Mr. ROBERTS. We—myself, staff, others, a lot of people I have met with in Kansas, regardless what economic sector we are talking about, whether it is energy, which I wish to talk about today, whether it is agriculture, which we talked about last week, health care

is coming, and then we are going to talk about the financial sector—we have talked about the President's initiative, his Executive order in which the President said rightly—and I applauded that statement that we have so many regulations pouring out of Washington and so many regulations on the books, we do not have a cost-benefit yardstick—that is my favorite term for it—to say: Does the cost exceed the benefit? Does it make sense?

The President himself said there are many that are duplicative and very costly and basically are stupid. That is exactly what the President said. I said “egregious.” That is the Senate word. The President said “stupid.” I think everybody understands that. He issued an Executive order, and he said to all the Federal agencies: Please, take a look at the regulations that are on the books and all the regulations that are coming out of your agency and see if you can make sense out of it and try to separate out the ones that are duplicative, costly, and, yes, stupid and the ones that are not and we can make some progress. I applauded the President's effort.

The problem is, it is an Executive order that has no teeth. There are three exemptions—and I will get into that in my prepared remarks, but basically the independent agencies are excluded. There are a bunch of them. There is language in the bill that says, if you are doing it for the public good, the Secretary can say: Oh, well, that does not apply to us. How many Secretaries around here—for that matter czars. I guess they are in the room. I don't know what they do. If there is a czar sitting there talking to schedule C appointees and says: Do you think our regulations serve the public good, of course, they think that. They would not have promulgated them or issued them or thought them up to begin with if they did not think it was for the public good. So they are exempt.

Then, we have a wonderful paragraph that I defy anybody to understand. They can also use that in regard to dodging around the President's Executive order. The President issued an Executive order, said some very good things to the American public, but it does not have any teeth.

I have a bill. We have 30 cosponsors. The bill says: Mr. President, you are right with your Executive order. We codify his order, but we take out the exemptions. What a day that would produce—or a year, for that matter—for all Federal agencies, if they truly had to adhere to the President's Executive order. I hope we get more cosponsors and we could actually consider it and actually pass it on the floor of the Senate.

We have several areas of our economy that are affected in a most egregious way by all these regulations. I talked about agriculture last week. We are talking about energy today. Health care is coming, and the financial institutions will be coming after that.